

**For The District Court of South Carolina****John Medaglia III*****Plaintiff*****V.****Shawn Middleton****City of New Ellenton*****Defendant(s)*****CASE NO. 1:24-CV-00532-MGL-SVH****RECEIVED  
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2024 JUL 22 PM 2:08****Motion for Sanctions Pursuant to FRCP 11**

I **John Medaglia** (Plaintiff), hereby file this Motion for Sanctions Pursuant to Federal Rule of Civil Procedure 11 against The City of New Ellenton and its Ex Chief Shawn Middleton (Defendant)(s), and states as follows:

**Introduction**

Plaintiff brings this motion seeking sanctions against Defendant for repeatedly filing redundant and substantially similar motions to dismiss in the above-captioned case. Defendant's actions constitute a violation of FRCP 11.

**Background**

On April 11th, Defendant filed its initial Motion to Dismiss for Failure to State a Claim. Since then, Defendant has filed another subsequent motion to dismiss on May 9th, both of which raise almost identical legal arguments and fail to present any new grounds or material facts.

**Legal Standard**

Federal Rule of Civil Procedure 11 requires that all pleadings, motions, and other papers be filed

for proper purposes, not for harassment, and based on a reasonable inquiry. Redundant filings of motions to dismiss that serve no substantive purpose violate the spirit and letter of this rule.

**Argument**

Defendant's repeated filings of motions to dismiss, which are essentially duplicative in content and substance, constitute an abuse of the judicial process. These motions are not based on any new facts or legal grounds that would warrant reconsideration of the Court's previous rulings.

**Request for Sanctions**

Plaintiff respectfully requests that this Court impose sanctions against Defendant pursuant to FRCP 11. Such sanctions are necessary to deter further abuse of the judicial process and to compensate Plaintiff for the unnecessary expenses and delays caused by Defendant's actions.

**Conclusion**

For the reasons stated above, Plaintiff requests that this Court grant the following relief:

- a. Imposition of appropriate sanctions against Defendant and/or Defendant's counsel under FRCP 11;
- b. Award of reasonable attorney's fees and costs incurred in connection with this motion; and
- c. Any other relief that this Court deems just and proper.

Respectfully submitted,

John Medaglia

7-11-24

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